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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,726	03/31/2004	Lawrence Stopczynski	81044221	5130
22844	7590	05/12/2006	EXAMINER	
FORD GLOBAL TECHNOLOGIES, LLC. FAIRLANE PLAZA SOUTH, SUITE 800 330 TOWN CENTER DRIVE DEARBORN, MI 48126			NGUYEN, TAN QUANG	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 05/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/813,726	Applicant(s) STOPCZYNSKI, LAWRENCE	
	Examiner TAN Q. NGUYEN	Art Unit 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/31/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAIL ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-15 are pending.
2. The prior art submitted on March 31, 2004 has been considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-12 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Wessels et al. (6,898,498).
5. As per claims 1-3, Wessels et al. disclose the invention as claimed which includes a sensor for sensing first detection zone and second detection zone, i.e. frontal or rear zones (see figure 1, items 24-26 for the first zone and 27-29 for the second zone), and a controller for determining which restrains should be deployed based on the sensors signals (see at least the abstract and figures 2A and B).

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6. As per claims 4-12, Wessels et al. further disclose a classification decision for determining which restrains should be deployed based on the sensor signals as shown in at least abstract, figures 1-2B and the tables, which includes the case of the frontal only, rear collision only and frontal and rear collision situations.

7. Claim 15 is a method claim corresponding to system claim 1. Therefore, claim 15 is rejected for the same rationales set forth for claim 1.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wessels et al. as applied to the claims above, and further in view of Weilkes et al. (6,856,874).

10. Wessels et al. disclose the claimed invention as discussed above except that at least one countermeasure attribute for the activation of at least one of an accelerating, steering or braking system. Wessels et al. using the information from the sensors in different zones to activate the appropriate safety devices (airbags). However, Weilkes suggest a system with a precrash operation mode in which it activates at least the braking system when there is a risk of collision in one of the detected zones (see at

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least figures 1, 2, column 3, lines 26-49, column 4, lines 10-32). Weilkes further suggests that the safety device includes airbags, seat belt, or roll bar (see column 2, lines 43-53). It would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate such teaching of Weilkes into the system of Wessels et al. in order to improve the protection of the driver by not only activate the appropriate airbags but also automatically activate the brake in the in the precrash situation based on the signals from the sensors mounted in different zones.

Conclusion

11. All claims are rejected.

12. The following references are cited as being of general interest: Lyons et al. (5,872,536), Moriyama et al. (5,900,807), Katoh (5,748,477), Yamada (5,955,967), Tsuchiya (5,936,549), Kleinberg et al. (6,087,928), Fendt et al. (6,271,747) and Mattes et al. (6,396,427).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Q. Nguyen, whose telephone number is (571) 272-6966. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (571) 272-6956.

Any response to this action should be mailed to:

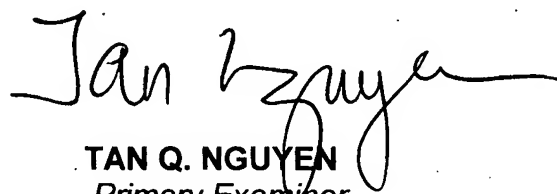
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or faxed to the Official Fax Center: (571) 273-8300.

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TAN Q. NGUYEN
Primary Examiner
Art Unit 3661

/tqn
May 11, 2006